

IN THE UNITED STATES BANKRUPTCY COURT FOR THE
WESTERN DISTRICT OF PENNSYLVANIA

MARK PANCARI,
CATHLEEN PANCARI,

Bankruptcy No.: 19-22280-CMB
Chapter 13
Document No.:

Debtors,

MARK PANCARI,
CATHLEEN PANCARI,

Movants,
vs

CARVANA,
RONDA WINNECOUR, Trustee,

Respondents. **ENTERED BY DEFAULT**

ORDER APPROVING POSTPETITION AUTOMOBILE FINANCING

This matter comes before the Court upon the *Motion of Mark and Cathleen Pancari for post-petition financing* ("Motion") filed by Debtor on July 28, 2020. A Certificate of No Objection ("CNO") was filed on August 17, 2020. Based upon the foregoing, and for good cause shown, it is hereby **ORDERED, ADJUDGED, and DECREED** that:

1. The *Motion* is **GRANTED** as provided by the terms of this *Order*. Debtor is authorized to obtain secured financing for the purchase of a replacement vehicle on the following terms:

(a) the total amount of financing **shall not exceed \$14,724.40**; and

(b) the monthly payments made under the financing agreement **shall not exceed \$335.00**.

2. To the extent that Debtor secures financing for the purchase of a new vehicle, such payments **shall be made through the chapter 13 plan**. Within **30 DAYS** of securing such financing, Debtor shall file:

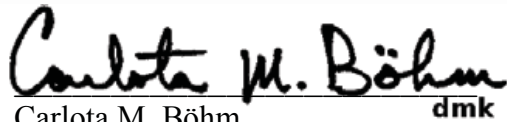
(a) an amended chapter 13 plan; and

(b) a report of financing, including details of automobile trade-in or sale, if applicable.

3. To ensure the prompt and timely payment of the automobile loan, Debtor shall make a supplemental payment to the chapter 13 trustee **within 7 days** of filing the report of financing (and each month thereafter as necessary) in an amount sufficient for the trustee to cover the installments due on the loan. The supplemental payments shall be in addition to the regular plan payment, pending confirmation of the amended plan.
4. Pending confirmation of any amended plan providing for the new post-petition loan payments, the trustee is authorized to make monthly adequate protection payments to Carvana for the contract amount so long as sufficient supplemental funds are provided by Debtor.
5. Notwithstanding the inclusion of the post-petition loan within an amended chapter 13 plan, the underlying terms of the loan shall not be modified absent the consent of the Carvana.
6. If the financing through Carvana falls through, the Debtor is permitted to finance through another creditor limited by the terms of this Order.
7. Debtor shall serve copies of this *Order* on all creditors eligible to receive distributions through the chapter 13 plan and file proof of the same with the Court.

Prepared by:

Rice & Associates Law Firm
/s/ David A Rice, Esq.
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Washington, PA 15301
724-225-7270
ricelaw1@verizon.net
PA ID#: 50329


Carlota M. Böhm dmk

Chief United States Bankruptcy Court Judge

Dated: 8/17/2020

Case Administrator to Mail to:
Debtor(s), Counsel for Debtor(s)
Ronda J. Winnecour, Esq.,
Office of the U.S. Trustee

FILED
8/17/20 6:47 am
CLERK
U.S. BANKRUPTCY
COURT - WDPA

Certificate of Notice Page 3 of 3
United States Bankruptcy Court
Western District of Pennsylvania

In re:
Mark A. Pancari
Cathleen L Pancari
Debtors

Case No. 19-22280-CMB
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: dsaw
Form ID: pdf900

Page 1 of 1
Total Noticed: 1

Date Rcvd: Aug 17, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 19, 2020.

db/jdb +Mark A. Pancari, Cathleen L Pancari, 1160 Cross Creek Road, Burgettstown, PA 15021-2402

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 19, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 17, 2020 at the address(es) listed below:

David A. Rice on behalf of Debtor Mark A. Pancari ricelaw1@verizon.net, lowdenscott@gmail.com
David A. Rice on behalf of Joint Debtor Cathleen L Pancari ricelaw1@verizon.net,
lowdenscott@gmail.com
James Warmbrodt on behalf of Creditor DITECH FINANCIAL LLC bkgroup@kmlawgroup.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
Scott R. Lowden on behalf of Joint Debtor Cathleen L Pancari niclowlgl@comcast.net
Scott R. Lowden on behalf of Debtor Mark A. Pancari niclowlgl@comcast.net

TOTAL: 7